

EFFECTIVE

August 1, 2011.

Subject(s)

1. Title IV-E funding denial or cancellation.
 - Notice of denial/cancellation.
 - Fair hearings.
 - Payments during an appeal.
2. Payment for foster family care.
 - Payment for foster family care.
 - Age appropriate rate for foster care.
 - Determination of care (DOC) supplements for foster care.
 - Determination of care-above Level III.
 - Request for review of determination of care.
 - Effective date of request.
 - Administrative review process.
 - Placement agency foster care (PAFC) supervised process.
 - State agency supervised process.
 - Independent living for wards age 18 or older with children.
 - Minor parents under the age of 18.
3. Michigan Works Agency (MWA) referrals for the service plan.
4. Youth In Transition (YIT) funding policy.
5. Developing the Service Plan
 - Incarcerated Parents
 - Contracted In-Home Service Providers

1) TITLE IV-E

FOM 902-5, Title IV-E Funding Denial or Cancellation

Funding Denial or Cancellation

Policy is updated to include all reasons title IV-E funding must be denied or cancelled. The updates to policy correspond with those listed on the DHS-176, Notice of Case Action.

Notice of Denial/Cancellation

All reasons for the denial or cancellation must be listed on the DHS-176.

Fair Hearings

Relevant information regarding the fair hearings process from BAM 600 has been moved to this section of the children's foster care

manual. There will no longer be a need to refer to BAM 600 for information regarding the title IV-E fair hearings process.

Payments During an Appeal

DHS may not utilize title IV-E funds during an appeal process.

If title IV-E payments have been made that should not have been, take the following actions:

1. End the payment authorization in SWSS FAJ with title IV-E as the fund source immediately.
2. Begin a new payment authorization using the appropriate fund source of either state ward board and care or county child care funds.
3. Do **not** complete a DHS-587, Reconciliation Notice, to reconcile any payments made from title IV-E in error prior to a Michigan Administrative Hearing System (MAHS) hearing decision being made.

Following the MAHS hearing decision reconciliation can be made as needed. The Federal Compliance Division will direct the local office on what payment action may need to be taken based on the MAHS hearing decision.

Reason: Federal Compliance Division clarification.

Communication Plan: Title IV-E Fair Hearings Process Job Aid.

2) PAYMENT FOR FOSTER FAMILY CARE

FOM 903-3 Payment for Foster Family Care

The Determination of Care (DOC) forms DHS-470, DHS-470A and DHS-1945 have also been updated. The updated versions of these forms are available as templates for DHS staff and on the public DHS website for PAFC providers. The space for documenting the foster parent activities is no longer limited on the forms. The forms will accommodate all needed written documentation without needing an attached memo.

Payment for Foster Family Care

Policy is updated to clarify the need for a provider number to make a payment. Child placing agency was changed to placement agency foster care (PAFC).

Age Appropriate Rate for Foster Care

Policy is updated to change child placing agency to placement agency foster care (PAFC).

Determination Of Care Supplements for Foster Care

Policy is updated to reinforce that the determination of care (DOC) supplements are for the foster care provider's activities. Policy is clarified to direct that a DOC assessment is to be completed for every child in a paid placement.

There is no longer a requirement of a child receiving Social Security Income (SSI) to automatically qualify for at least a level I DOC rate on a DHS-470 or DHS-470A. A child receiving SSI would receive the DOC that the completed assessment determines. This policy change currently conflicts with FOM 902-10. FOM 902-10 will be updated to be consistent with this item. If a child has already been approved for a level 1 DOC based solely on the receipt of SSI, that rate may continue to be paid through the current approval period. Following the current approval period, the child must be assessed to determine if they qualify for a DOC rate based on the foster parent's activities.

Policy is clarified that documentation supporting the child's need for a DOC and the foster parent's activities must be in the case service plans and documents in the DHS case file.

Determination of Care-above Level III

Policy is clarified that a child's DOC level must meet or exceed level III to request an exception for a level IV child specific DOC supplement. The request for a level IV DOC supplement is to be completed on the DHS-470, DHS-470A or the DHS-1945. Level IV DOC rates need to be approved by the Field Operations Director or designee and are final upon review and approval or denial by the Child Welfare Field Operations Director or designee.

Request for Review of Determination of Care

Policy is clarified that a request for review of a DOC can be initiated at any time. If approved the DOC supplement is effective on the begin date.

Effective Date of Request

Policy is updated to clarify the begin and end dates of the DOC approvals.

- The begin date for an initial DOC request if received in the DHS office within the first 30 calendar days of a child's placement with a specific foster family is the first day of that placement.
- The begin date for a renewal request is the day following the end date of the last DOC approval if the request is received in the DHS office within 30 calendar days of the begin date.
- The begin date for a request for escalation or de-escalation of the DOC that is not made at the time of renewal is the date the foster parent signed the DOC request if it is received in the DHS office within 30 calendar days of that signature.
- The end date is 6 months after the begin date. No DOC request is to be approved for longer than 6 months.

Note: If the DOC request is not received in the DHS office within these time frames the begin date will be the date the request is received in the DHS office.

Copies of the DHS-626 and approved DHS-470, DHS-470A or DHS-1945 are to be sent to the foster care provider and the PAFC provider if applicable.

Administrative Review Process

Policy is updated to include that the foster care provider or the agency can utilize this process if they are not notified timely of the outcome of a DOC request. Policy is also clarified that an administrative review can only be requested regarding DOC requests up to and including level III.

DHS and Placement Agency Foster Care (PAFC) Supervised Process

Policy is updated to clarify the documentation that must accompany a request for an administrative review.

Independent Living for Wards Age 18 or Older With Children

Policy is updated to clarify that wards age 18 or older who are in an independent living situation can receive an independent living stipend and apply for FIP for their child(ren). Wards cannot receive FIP for themselves and an independent living stipend.

Minor Parents under the Age Of 18

Policy is updated to clarify that minor parents under the age of 18 can receive an independent living stipend and FIP for their child(ren) if they are living in an adult supervised setting. Minor parents cannot receive FIP for themselves and an independent living stipend.

Reason: Federal compliance division recommendation following findings from the DOC audit, federal compliance division clarification, and according to policy found in BEM 201.

Communication Plan: Determination of Care (DOC) - FOM 903-3 Policy Highlights.

3) MW!A REFERRALS FOR THE SERVICE PLAN

FOM 722-6

Added information regarding Michigan Works! Agency (MW!A) referrals. The updated policy gives examples of when a youth would be exempt from being referred. It also directs workers to report MW!A referrals and services within the Parent-Agency Treatment Plan.

4) YIT FUNDING POLICY

FOM 950

- Clarification in Youth In Transition (YIT) policy.
- Vehicle purchases and vehicle repairs: Youth are able to purchase and/or repair vehicles with YIT funding, with specific limitations.
- Bulk purchases: Local counties can make bulk purchases, such as a purchase of gas cards. Each item out of the bulk

purchase must be assigned to a specific youth. County DHS offices must comply with the processes of ACM 423, Bulk Purchases.

- Gifts: Counties should not use YIT funds to purchases gifts for youth, unless the gift is a YIT approved item and it can e directly linked to a specific independent living goal for the youth.

5) DEVELOPING THE SERVICE PLAN

FOM 722-6

Incarcerated Parents

The following statement was rescinded from policy:

If the incarcerated parent has been convicted of or substantiated for criminal sexual conduct against a child; see, FOM 722-12, Expenditure of State Funds in Substantiated Sexual Abuse Cases, before proceeding with efforts to reunify a child with the parent after his or her release from incarceration. A court order may be required.

Reason: Recent Michigan Court of Appeals decisions and recommendations from DHS Legal Affairs.

Contracted In-Home Service Providers

Policy is revised to remove Contracted In-Home Service Provider Meeting All Face-to-Face Contacts. Previous policy allowed for the replacement of all foster care face-to-face contact standards through a contracted in-home service provider, in certain situations, with the approval of the county director.

Reason: This section is being removed from policy as it is no longer allowable.

**MANUAL
MAINTENANCE
INSTRUCTIONS**

Changed Items (content changes) ...

FOM 722-6

FOM 902-5

FOM 903-3

FOM 950